

BOROUGH OF EAST NEWARK  
COUNTY OF HUDSON STATE OF NEW JERSEY

THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK WITHIN THE COUNTY OF HUDSON, STATE OF NEW JERSEY WAS HELD ON WEDNESDAY, APRIL 12, 2017 IN COUNCIL CHAMBERS OF THE EAST NEWARK MUNICIPAL BUILDING, 34 SHERMAN AVENUE, EAST NEWARK, NEW JERSEY 07029

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Minutes of the Regular Meeting of the Mayor and Borough Council of the Borough of East Newark

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The Meeting was called to order at 5:30 P.M. by the Honorable Joseph R. Smith, Mayor, Presiding

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PUBLIC NOTICE: Adequate Notice of the Regular Meeting was transmitted to the Jersey Journal, Star Ledger, Observer, posted on the official Borough website and posted on the bulletin board of the municipal building in accordance with applicable laws under the Open Public Meetings Act (Sunshine Law)

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Notice is further given that the Mayor and Borough Council on April 12, 2017 met in caucus for the purpose of establishing a final agenda for this Regular Meeting

ROLL CALL:

Council President Charles F. Tighe-Present  
Councilmember Hans Peter Lucas-Present  
Councilmember Yamara Salas-Present  
Councilmember Kenneth M. Sheehan, Sr.-Present  
Councilmember Jose A. Silva-Absent With Reason  
Councilmember Jeanne Zincavage-Present

DECLARATION OF QUORUM: There being five (5) Members of the Borough Council PRESENT and Mayor Joseph R. Smith PRESENT, a QUORUM was declared. Also present were Borough Counsel Neil D. Marotta, Esq, Borough Labor Counsel Mark Tabakin, Esq, Borough Administrative Assistant/QPA/CFO/Treasurer Brigitte I. Goncalves and Borough Clerk Robert B. Knapp

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Speaker: Geroge J. Stafford, New Jersey Highlands Coalition, 508 Main Street, Boonton, New Jersey 07005--presented information concerning the water issues throughout the State of New Jersey. Will submit resolutions to be considered by Mayor and Borough Council.

MOTION TO APPROVE THE AGENDA by Councilmember Tighe  
Seconded by Councilmember Lucas  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

MOTION TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSES OF LABOR MATTERS DISCUSSION

Motion by Councilmember Tighe  
Seconded by Councilmember Sheehan, Sr.  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

Executive Session at 5:35 P.M.

MOTION TO CLOSE EXECUTIVE SESSION AND RETURN TO BUSINESS PORTION OF MEETING  
Motion by Councilmember Tighe  
Seconded by Councilmember Lucas  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

Executive Session closed at 6:10 P.M.--No formal action to be taken

BUDGET HEARING AND TAX RESOLUTION:

RESOLUTION REGARDING READING OF THE BUDGET BY TITLE ONLY  
Motion by Councilmember Tighe  
Seconded by Councilmember Sheehan, Sr.  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
RESOLUTION PASSED

Borough Clerk Robert B. Knapp Read the Budget By Title Only

Mayor Smith declared the public hearing open on the 2017 Municipal Budget

No Member of the Public desired to be heard before the Mayor and Borough  
Council in regards to the 2017 Budget

MOTION TO CLOSE PUBLIC HEARING by Councilmember Tighe  
Seconded by Councilmember Zincavage  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

ADOPTING RESOLUTION FOR THE 2017 MUNICIPAL BUDGET  
Motion by Councilmember Tighe  
Seconded by Councilmember Zincavage  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MUNICIPAL BUDGET FOR 2017 ADOPTED

ORDINANCE: FIRST READING/INTRODUCTION: AN ORDINANCE TO AMEND CHAPTER 33  
(ZONING) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF EAST NEWARK TO  
AMEND CERTAIN BULK REQUIREMENTS  
Introduced by Councilmember Tighe  
Seconded by Councilmember Salas

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye Silva-Absent, Tighe-Aye, Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
ORDINANCE APPROVED ON THE FIRST READING/INTRODUCTION

ORDINANCE: SECOND READING/PUBLIC HEARING: AN ORDINANCE OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY BANNING THE SALE OF DOGS AND CATS FROM PET SHOPS

Motion to Open Public Hearing by Councilmember Tighe  
Seconded by Councilmember Lucas

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

No Member of the Public Desired to be heard before the Mayor and Borough Council

Motion to Close Public Hearing by Councilmember Zincavage  
Seconded by Councilmember Lucas

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

Motion to Approve and Adopt Ordinance on Second Reading/Public Hearing by Councilmember Lucas

Seconded by Councilmember Tighe

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

ORDINANCE APPROVED AND ADOPTED ON SECOND READING/PUBLIC HEARING

ORDINANCE: SECOND READING/PUBLIC HEARING: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK UNDER N.J.S.A 40A:4-45.L14

Motion to Open Public Hearing by Councilmember Tighe  
Seconded by Councilmember Lucas

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

No Member of the Public Desired to be heard before the Mayor and Borough Council

Motion to Close Public Hearing by Councilmember Tighe  
Seconded by Councilmember Sheehan, Sr.

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

Motion to Approve and Adopt Ordinance on Second Reading Public Hearing by Councilmember Tighe

Seconded by Councilmember Zincavage

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

ORDINANCE APPROVED AND ADOPTED ON SECOND READING PUBLIC HEARING

CONSENT AGENDA:

RESOLUTION: SENIOR OF THE YEAR

RESOLUTION: REFUND OF TAX OVERPAYMENT

RESOLUTION: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH INFO-COP D/B/A GTBM INC FOR E TICKETING SOFTWARE

RESOLUTION: AUTHORIZATION TO ADVERTSIE AND REBID--POLICE AUTHORIZED TOWING  
RESOLUTION: AUTHORIZATION TO ADVERTISE AND REBID-FURNISHING MEALS FOR THE  
EAST NEWARK SENIOR CITIZENS LUNCH PROGRAM  
RESOLUTION: APPROVA OF MINUTES FOR THE REGULAR MEETING OF MARCH 8, 2017 AND  
SPECIAL MEETING OF MARCH 15, 2017  
RESOLUTION: AWARD CONTRACT FOR ROADWAY IMPROVEMENT FOR THE DAVIS STREET AND  
PRESIDENT STREET IMPROVEMENT PROJECT  
Introduced by Councilmember Tighe  
Seconded by Councilmember Lucas  
Roll Call: Lucas-Aye, Salas-Aye on Special Meeting for March 15, 2017 and  
Abstain on Regular Meeting of March 8, 2017, Sheehan, Sr.-Aye, Silva-Absent,  
Tighe-Aye, Zincavage-Aye  
Aye; 5 Nay: 0 Abstain: as noted above Absent: 1  
CONSENT AGENDA PASSED

RESOLUTION: APPROVAL OF PAYMENT OF BILLS  
Introduced by Councilmember Zincavage  
Seconded by Councilmember Tighe  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
RESOLUTION PASSED

MOTION TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF TAX LITIGATION  
Motion by Councilmember Lucas  
Seconded by Councilmember Salas  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

Executive Session at 6:13 P.M.

MOTION TO CLOSE EXECUTIVE SESSION by Councilmember Tighe  
Seconded by Councilmember Zincavage  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

Executive Session closed at 6:19 P.M.--No formal action taken

No further business to be presented before the Mayor and Borough Council

MOTION TO CLOSE BUSINESS PORTION OF MEETING by Councilmember Tighe  
Seconded by Councilmember Sheehan, Sr.  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

MOTION TO CLOSE/ADJOURN MEETING by Councilmember Tighe  
Seconded by Councilmember Sheehan, Sr.  
Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye,  
Zincavage-Aye  
Aye: 5 Nay: 0 Abstain: 0 Absent: 1  
MOTION CARRIED

Meeting Closed/Adjourned t 6:20 P.M.

Respectfully recorded and submitted by,

Robert B. Knapp, RMC  
Borough Clerk

Reports From Borough Departments:

Clerk's Office  
Municipal Court  
Finance Department  
Welfare and Human Services  
Water Department  
Police Department  
Fire Department